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Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

Chapter 11

**NOTICE OF HEARING RE  
OMNIBUS OBJECTIONS TO  
DUPLICATE PROOFS OF CLAIM;  
WITH CERTIFICATE OF SERVICE**

Date of Hearing: November 15, 2011  
Time of Hearing: 9:30 a.m.

**THE USACM LIQUIDATING TRUST IS OBJECTING TO A CLAIM THAT  
YOU FILED. THE USACM TRUST SEEKS TO DISALLOW THAT CLAIM, IN  
WHOLE OR IN PART, BECAUSE IT IS DUPLICATIVE OF ANOTHER CLAIM  
THAT YOU FILED AND THAT THE USACM TRUST HAS ALREADY  
PROCESSED. THE USACM TRUST SEEKS TO DISALLOW YOUR  
DUPLICATE CLAIM IN WHOLE OR IN PART.**

**PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY  
COURT TO DISCUSS THE MERITS OF YOUR CLAIM. QUESTIONS  
REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM  
SHOULD BE DIRECTED TO UNDERSIGNED COUNSEL, JOHN HINDERAKER  
(520-629-4430).**

1       **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust, by and  
2 through its counsel, has filed its Omnibus Objections to duplicate Proofs of Claim (with  
3 Certificate of Service) (the “Objection”). Your Proof of Claim number and other  
4 information regarding your claim is provided in **Exhibit A**, attached to the Objection. The  
5 USACM Liquidating Trust has requested that this Court enter an order, pursuant to section  
6 502 of title 11 of the United States Code (the “Bankruptcy Code”) and Rule 3007 of the  
7 Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), disallowing your Proof  
8 of Claim to the extent that it is duplicative of another claim that you filed.

9       **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held  
10 before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal  
11 Building, 300 Las Vegas Blvd. South, 3<sup>rd</sup> Floor, Courtroom No. 1, Las Vegas, Nevada on  
12 **November 15, 2011, at the hour of 9:30 a.m.**

13       **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON**  
14 **NOVEMBER 15, 2011, WILL BE HELD FOR THE PURPOSE OF STATUS**  
15 **CHECKS AND SCHEDULING EVIDENTIARY HEARINGS ONLY. NO**  
16 **ARGUMENTS WILL BE HEARD ON THAT DATE.**

17       **NOTICE IS FURTHER GIVEN** that pursuant to Local Rule 9014(d), any  
18 response to the objection must be filed and service must be completed no later than  
19 **fourteen (14) days** preceding the hearing date. The opposition must set forth all relevant  
20 facts and any relevant legal authority.

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the Court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the Court, or if you do not serve your written response on the person who sent you this notice, then:

- The Court may *refuse to allow you to speak* at the scheduled hearing; and
- The Court may *rule against you* and sustain the objection without formally calling the matter at the hearing.

Dated: October 15, 2011

LEWIS AND ROCA LLP

By s/ John Hinderaker (AZ 18024)

Robert M. Charles, Jr., NV 6593

John Hinderaker, AZ 18024 (*pro hac vice*)

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*Attorneys for the USACM Liquidating Trust*

Copy of the foregoing deposited in first class postage prepaid U.S. Mail on October 15, 2011 to all parties listed on Exhibit A attached to the Objection. .

LEWIS AND ROCA LLP

s/ Renee L. Creswell

Renee L. Creswell